

Message Text

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ACTION EB-07

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E.O. 11652:N/A

TAGS: EAIR, UK

SUBJ: US/UK CIVIL AVIATION MEETING JULY 12

1. IN PAST TWO DAYS SEABOARD AND PAN AM OFFICES IN LONDON HAVE RECEIVED LETTERS FROM DEPT OF TRADE (BROWN) COMPLAINING OF PUBLISHED SCHEDULES OF BOTH CARRIERS MAINTAINING THAT THEY DO NOT CONFORM TO UK OPERATING PERMITS. IN BOTH CASES CARRIER HAS BEEN GIVEN DEADLINE OF JULY 16 TO SEND ASSURANCE TO DOT THAT ADVERTISING COMPLAINED OF WILL BE WITHDRAWN AND THAT ALL FUTURE ADVERTISING MATERIAL WILL DESCRIBE CARRIERS' SERVICES STRICTLY IN ACCORDANCE WITH OPERATING RIGHTS.

2. SEABOARD ISSUE AROSE IN CONNECTION WITH SHORT NOTICE FILING FOR SCHEDULE CHANGE MADE BY CARRIER JUNE 14. UK DOT REFUSED TO ACCEPT MINOR SCHEDULING CHANGE PROPOSED IN LESS THAN 60 DAY PERIOD WRITTEN INTO SEABOARD'S OPERATING PERMIT AND IN ADDITION DIRECTED THAT ADVERTISING BE MODIFIED TO CONFORM TO SEABOARD'S ROUTES AS UK INTERPRETS THEM. IN THIS CASE UK INSISTS SEABOARD HAS NO RIGHT TO LIST POINTS IN US BEHIND THE GATEWAY. WE UNDERSTAND SEABOARD'S WASHINGTON REPS HAVE ALREADY DISCUSSED THIS ISSUE WITH DEPT. EXCHANGE OF LETTERS SENT TO DEPT UNDER COVER EMBASSY A-484 JULY 8, 1976.

3. DOT LETTER TO PAN AM OF 6 JULY STATES AS FOLLOWS:

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QUOTE IT HAS BEEN NOTED THAT CERTAIN PUBLISHED MATERIAL

RELATING TO PAN AM'S SERVICES HOLDS OUT THE POSSIBILITY OF CERTAIN TRAFFIC RIGHTS AT LONDON AND HONG KONG ON LONDON/HONG KONG/AUCKLAND AND LONDON/HONG KONG SERVICES THAT YOUR AIRLINES DO NOT HAVE. I REFER TO THE BROAD SHEET, COPY ENCLOSED, ISSUED BY YOUR AGENTS IN NEW ZEALAND HEADED "PAN AM - THE ONLY ONE CARRIER ROUND-THE-WORLD SERVICE FROM NEW ZEALAND OFFERING YOX AND YE 180 FARES" AND TO THE SCHEDULE AND FOOT NOTE ON PAGE 411 OF THE JULY EDITION OF THE ABC WORLD AIRWAYS GUIDE - PART ONE. THE BROAD SHEET RELATING TO THE LONDON/HONG KONG/AUCKLAND ROUTE IS UNACCEPTABLE BECAUSE, AS YOU WERE ADVISED IN A LETTER OF 30 APRIL 1976 FROM MR. G.E. BONNEY OF THE CIVIL AVIATION AUTHORITY, PAN AM DO NOT HAVE RIGHT TO CARRY TRAFFIC ON A THROUGH SERVICE LONDON/HONG KONG/AUCKLAND AT THE ONE-WAY EXCURSION FARES OR 21/180 DAY EXCURSION FARES AGREED BETWEEN THE UNITED KINGDOM AND NEW ZEALAND GOVERNMENTS. PAN AM ONLY HAS RIGHTS TO CARRY SUCH TRAFFIC ON THE AUCKLAND/HONG KONG SECTOR INTERLINING WITH BA ON THE HONG KONG/LONDON SECTOR. THE ABC ENTRY IS UNSATISFACTORY BECAUSE THE FOOT NOTE ON LONDON/HONG KONG SERVICES DOES NOT MAKE CLEAR THAT TRAFFIC CAN ONLY BE CARRIED BY PAN AM BETWEEN THOSE POINTS IF IT IS PAN AM'S OWN STOPOVER TRAFFIC. I SHALL BE GRATEFUL TO RECEIVE, NOT LATER THAN 16 JULY 1976, YOUR ASSURANCE THAT THE ABOVE ADVERTISING MATERIAL WILL DESCRIBE PAN AM'S SERVICES STRICTLY IN ACCORDANCE WITH YOUR AIRLINE'S OPERATING RIGHTS. UNQUOTE

4. WE EXPECT DEPT MAY WISH TO RAISE THIS CONTINUING HARRASSMENT OF US CARRIERS WITH BRITISH SIDE DURING JULY 12 TALKS. IT SEEMS TO US THAT POINT COULD BE MADE TO BRITISH THAT TO IMPROVE NEGOTIATING CLIMATE DURING RENEGOTIATION OF BILATERAL BOTH SIDES SHOULD TRY TO AVOID CONFRONTATIONS OVER RELATIVELY MINOR ISSUES SUCH AS THOSE WHICH ARE THE SUBJECT OF THE UK LETTERS. IN CONNECTION WITH SEABOARD'S PROBLEM, DEPT MAY ALSO WISH TO TRY TO OBTAIN UK AGREEMENT TO MODIFY 60 DAY FILING REQUIREMENT WHICH, AS FAR AS WE KNOW, IS NOT IMPOSED ON OTHER CARRIERS BY UK.

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